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October 20, 2004

Honorable Judith G. Dein, U.S. Magistrate Judge
United States District Court for the
District of Massachusetts
1 Courthouse Way, Suite 6410
Boston, MA 02210-9901

Re: Joel F. Holubar and Mariana H. Holubar v. Kent Kholberger, Chase-Freedman
Family Trust and M/Y Cherosa, in rem, Civil Action No. 03-CV-12404-NG,
United States District Court, Boston, Massachusetts

Dear Judge Dein: --

Pursuant to your suggestion at the September 10, 2004 status conference and discovery motions hearing, I write on behalf of defendants to request a brief conference among the Court and counsel. The purpose is to address plaintiffs' failure to comply with the Court's September 13, 2004 Order and plaintiffs' continuing failure to properly sign and serve documents and certificates of service. Defendants respectfully submit that redundant Local Rule 37.1 conferences with plaintiffs' counsel are not required and would be futile.

We look forward to hearing from the Court as to the earliest date convenient for the Court to hear this matter, either by telephone or in person, as the Court wishes.

Thank you.

Sincerely,


Curtis C. Pfunder

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